

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 3:24-CR-19-KAC-JEM
)	
HENRI L. EWING,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This case is before the Court on Defendant's letter [Doc. 322], filed on November 13, 2024, and the Motion to Withdraw as Counsel of Record [Doc. 334], filed by Attorney Michael T. Cabage on November 26, 2024.

In the motion [Doc. 334], defense counsel advises that the attorney-client relationship is irrevocably broken and new counsel should be appointed to represent Defendant. In support, defense counsel notes that he received a complaint from the Tennessee Board of Professional Responsibility regarding Defendant's complaints about him.

The parties appeared before the Court for a hearing on the motion on December 4, 2024. Assistant United States Attorney Brent Jones appeared on behalf of the Government. Attorney Michael T. Cabage appeared on behalf of Defendant, who was also present. Attorney Chris Irwin was also present at the Court's request.

At the motion hearing, the Government stated that it had no position on the motion. Considering the representations made at the hearing and in Defendant's letter and defense counsel's motion, the Court is reasonably satisfied that there are sufficient grounds to substitute counsel based on a strained relationship, which is suffering from a breakdown of trust that has

compromised beyond repair counsel's ability to render effective assistance. Good cause therefore exists for substitution of counsel.

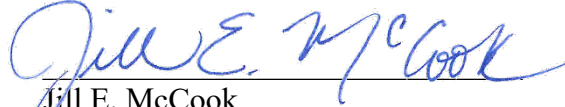
The Motion to Withdraw as Counsel of Record [**Doc. 334**] is **GRANTED** and Attorney Michael T. Cabage is **RELIEVED** as counsel of record for Defendant. Attorney Chris Irwin agreed to accept representation of Defendant at the hearing. The Court **SUBSTITUTES and APPOINTS** Attorney Chris Irwin under the Criminal Justice Act, 18 U.S.C. § 3006A, as counsel of record for Defendant. The Court **DIRECTS** former Attorney Michael T. Cabage to provide the discovery and information from Defendant's file to Attorney Chris Irwin.

Accordingly, the Court **ORDERS**:

- (1) the Motion to Withdraw as Counsel of Record [**Doc. 334**] is **GRANTED**;
- (2) Attorney Michael T. Cabage is **RELIEVED** of further representation of Defendant;
- (3) Attorney Chris Irwin is **SUBSTITUTED** and **APPOINTED** as counsel of record for Defendant;
- (4) Attorney Chris Irwin shall file a supplement to the pending motion to suppress filed by Attorney Cabage [Doc. 256] on or before **January 6, 2025**; and
- (5) the Government shall file a response on or before **January 13, 2025**.

IT IS SO ORDERED.

ENTER:



Jill E. McCook
United States Magistrate Judge